

Forty-eighth Legislature  
Second Regular Session

COMMITTEE ON TRANSPORTATION

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2169

(Reference to printed bill)

- 1 Page 1, strike lines 2 and 3
- 2 Renumber to conform
- 3 Line 5, strike "a new"; strike "28-2064" insert "28-2065"
- 4 Line 6, strike "28-2064" insert "28-2065"
- 5 Line 9, strike "FOR ANY DOCUMENT OR" insert "AND DOCUMENTS"
- 6 Line 11, after "28-5111" insert a period strike remainder of line; strike line  
7 12
- 8 Line 17, after "DOCUMENTS" insert a period strike remainder of line; strike line  
9 18
- 10 Line 21, after "DOCUMENTS" insert a period strike remainder of line; strike line  
11 22
- 12 Line 23, strike "3." insert "C. THE PARTICIPANTS SHALL"
- 13 Reletter to conform
- 14 Between lines 34 and 35, insert:  
15 "F. THIS SECTION DOES NOT LIMIT SECTION 41-132."
- 16 Reletter to conform
- 17 Between lines 35 and 36, insert:  
18 "Sec. 2. Section 28-2133, Arizona Revised Statutes, is amended to  
19 read:  
20 28-2133. Index and filing of liens, encumbrances or  
21 instruments; constructive notice  
22 A. The department shall maintain an appropriate index of all liens,  
23 encumbrances or title retention instruments filed as provided by this  
24 article.  
25 B. The filing and issuance of a new certificate of title as provided  
26 in this article is constructive notice to creditors of the owner or to  
27 subsequent purchasers of all liens and encumbrances against the vehicle  
28 described in the certificate of title, except those that are authorized by

1 law and that are dependent on possession. If the documents referred to in  
2 this article are received and filed in a registering office of the department  
3 within ~~ten~~ THIRTY days after the date of their execution, the constructive  
4 notice dates from the time of execution. Otherwise, the notice dates from  
5 the time of receipt and filing of the documents by the department as shown by  
6 its endorsement.

7 C. The method provided in subsection B of this section for giving  
8 constructive notice of a lien or encumbrance on a vehicle required to be  
9 titled and registered under section 28-2153 or a mobile home required to be  
10 titled under section 28-2063 is exclusive, except for liens dependent on  
11 possession. A lien, encumbrance or title retention instrument or document  
12 that evidences any of them and that is filed as provided by this article is  
13 exempt from the provisions of law that otherwise require or relate to the  
14 recording or filing of instruments creating or evidencing title retention or  
15 other liens or encumbrances on vehicles of a type subject to registration  
16 under this chapter."

17 Renumber to conform

18 Page 3, line 10, strike "Laws 2001, chapter 325" insert "[LAWS 2001, CHAPTER 325](#)"

19 Amend title to conform

and, as so amended, it do pass

MARIAN A. McCLURE  
Vice-Chairman

2169-trans

2/7/08

H:jjb

2169ab\*  
02/06/2008  
3:10 PM  
C: mu